

Sixth Appellate District

San Jose, California

MONDAY, JANUARY 25, 2010

H033532 PEOPLE v. SKINNER

The order denying defendant's motion to correct presentence credits is reversed. The matter is remanded to the trial court with the directive that it hold a hearing on the issue of whether defendant is entitled to presentence credit for the time spent at Sun Street Centers. (not published)

(Rushing, P.J.; We concur: Premo, J., Elia, J.)

Filed January 25, 2010

H033888 PEOPLE v. FRANCO

The order of probation is affirmed. (not published)

(Mihara, J.; We concur: Elia, Acting P.J., McAdams, J.)

Filed January 25, 2010

TUESDAY, JANUARY 26, 2010

The following cases are submitted this date:

H035008 M.M. v. SUPERIOR COURT

H034590 PEOPLE v. F.A.

H034564 In re J.G.; D.F.C.S. v. S.G., et al.

H034502 PEOPLE v. DETHLEFF

The judgment is affirmed. (not published)

(Premo, J.; We concur: Rushing, P.J., Elia, J.)

Filed January 26, 2010

H033997 PEOPLE v. VO

The judgment is affirmed. (not published)

(Premo, J.; We concur: Rushing, P.J., Elia, J.)

Filed January 26, 2010

H033156 FALCONE v. FYKE

The May 15, 2008 order awarding sanctions pursuant to Family Code section 271 is reversed. The parties shall bear their own costs on appeal. (not published)

(Premo, J.; We concur: Rushing, P.J., Elia, J.)

Filed January 26, 2010

Sixth Appellate District

San Jose, California

Tuesday, January 26, 2010 (continued)

H034179 In re JAMES A. SAUERS on Habeas Corpus

The order of the superior court is affirmed. (not published)
(Premo, Acting P.J.; We concur: Elia, J., Duffy, J.)
Filed January 26, 2010

H034202 HALEY et al. v. SUPERIOR COURT (HANTGES)

Respondent superior court erred in denying defendants' motion to transfer venue. Accordingly, let the peremptory writ of mandate issue directing the superior court to vacate its order of April 21, 2009, and to enter a new order granting defendants' motion to transfer venue to the Superior Court for the County of Los Angeles. (not published)
(Duffy, J.; We concur: Premo, Acting P.J., Elia, J.)
Filed January 26, 2010

H034321 LOVE v. BAY AREA CABLEVISION, INC.

The judgment of dismissal is affirmed. (not published)
(Bamattre-Manoukian, Acting P.J.; We concur: McAdams, J., Duffy, J.)
Filed January 26, 2010

WEDNESDAY, JANUARY 27, 2010

H033657 PEOPLE v. NELSON III

The judgment is affirmed. (not published)
(Premo, J.; We concur: Rushing, P.J., Elia, J.)
Filed January 27, 2010

H033329 ROBLES, et al. v. CHALILPOYIL

The order is affirmed. (published)
(Elia, J.; We concur: Rushing, P.J., Premo, J.)
Filed January 27, 2010

H035008 M.M. v. SUPERIOR COURT

The petition for extraordinary writ is denied on the merits. The request for a stay is denied. (not published)
(McAdams, J.; We concur: Bamattre-Manoukian, Acting P.J., Mihara, J.)
Filed January 27, 2010

The following case is submitted this date:

H034464 In re J.M.; D.F.C.S. v. C.J.

Sixth Appellate District

San Jose, California

Wednesday, January 27, 2010 (continued)

H033664 PEOPLE v. ANCISO

The matter is remanded to the trial court with directions to modify the judgment by dismissing count 2, count 3, and the prior prison term allegation, as contemplated by the plea bargain, and to amend the abstract of judgment accordingly. As modified, the judgment is affirmed. (not published)

(McAdams, J.; We concur: Bamattre-Manoukian, Acting P.J., Duffy, J.)

Filed January 27, 2010

THURSDAY, JANUARY 28, 2010

H033195 AMERICAN INTERNATIONAL UNDERWRITERS INSURANCE
COMPANY v. AMERICAN GUARANTEE AND LIABILITY INSURANCE
COMPANY

The judgment is reversed. The trial court is directed to vacate its order granting summary adjudication to AIU and denying summary judgment to American, and to enter a new order granting American's motion and denying that of AIU. American is entitled to its costs on appeal. (published)

(Elia, J.; We concur: Rushing, P.J., Premo, J.)

Filed January 28, 2010

H033950 PEOPLE v. CARRASCO

The judgment is affirmed. (not published)

(Rushing, P.J.; We concur: Elia, J., Duffy, J.)

Filed January 28, 2010

H032679 PEOPLE v. LOZA

The judgment is reversed. The trial court is ordered to (1) vacate the guilty finding on count 2 (active participation in a criminal street gang); (2) vacate the true finding on the gang enhancement on count 1 (robbery); and (3) strike the concurrent sentence on count 2. The guilty finding and sentence on count 1 (robbery) are unaffected by our disposition. The clerk of the superior court is directed to prepare an amended abstract of judgment and to forward it to the Department of Corrections and Rehabilitation. (not published)

(McAdams, J.; I concur: Duffy, J.; I concur in the judgment only: Bamattre-Manoukian, Acting P.J.)

Filed January 28, 2010

Sixth Appellate District

San Jose, California

FRIDAY, JANUARY 29, 2010

H033777 HETTINGA v. LOUMENA

The order is affirmed. (not published)

(Mihara, Acting P.J.; We concur: McAdams, J., Duffy, J.)

Filed January 29, 2010